

Senate File 2044

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AN ACT

CONCERNING ELIGIBILITY REQUIREMENTS FOR PAYMENT OF A VOLUNTEER
EMERGENCY SERVICES PROVIDER DEATH BENEFIT RESULTING FROM A
HEART ATTACK OR STROKE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 100B.11, subsection 2, paragraph b,
subparagraph (1), Code Supplement 2003, is amended to read as
follows:

(1) (a) The death resulted from stress, strain,
occupational illness, or a chronic, progressive, or congenital
illness, including, but not limited to, a disease of the
heart, lungs, or respiratory system, unless a traumatic
personal injury was a substantial contributing factor to the
volunteer emergency services provider's death.

(b) However, if the death was the direct and proximate
result of a heart attack or stroke, the volunteer emergency
services provider shall be presumed to have died as a result
of a traumatic personal injury if the provider engaged in a
nonroutine stressful or strenuous physical activity within the
scope of the provider's duties and the death resulted while
engaging in that activity, while still on duty after engaging
in that activity, or not later than twenty-four hours after
engaging in that activity, and the presumption is not overcome
by competent medical evidence to the contrary. For purposes
of this subparagraph subdivision, "nonroutine stressful or
strenuous physical activity" includes, but is not limited to,
nonroutine stressful or strenuous physical law enforcement,
fire suppression, rescue, hazardous material response,
emergency medical services, prison security, disaster relief,
emergency response, and training exercise activities.
"Nonroutine stressful or strenuous physical activity" does not
include activities of a clerical, administrative, or nonmanual
nature.

JEFFREY M. LAMBERTI
President of the Senate

CHRISTOPHER C. RANTS
Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 2044, Eightieth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2004

THOMAS J. VILSACK
Governor